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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

STANDARD & POOR'S RATING AGENCY LITIGATION

This Document Relates to All Actions
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13-MD-2446 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:


The Court is scheduled to hold argument on the pending motions in these cases on **October 4, 2013, at 10:00 a.m. in Courtroom 318** of the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York.

In addition to the arguments discussed in their papers, the parties to the declaratory judgment actions with pending motions to dismiss (13 Civ. 4100 and 13 Civ. 4052) should be prepared to discuss the following question: "Assuming this Court determines that there is no federal-question jurisdiction over the state enforcement actions under 28 U.S.C. § 1331, whether this Court has subject-matter jurisdiction to hear the declaratory judgment actions." In preparing to address this question, the parties should consider the following cases: *Public Service Commission v. Wycoff Co.*, 344 U.S. 237 (1952); *Shaw v. Delta Air Lines, Inc.*, 463 U.S. 85 (1983); *Verizon Maryland, Inc. v. Public Service Commission*, 535 U.S. 635 (2002); and *Fleet Bank, National Association v. Burke*, 160 F.3d 883 (2d Cir. 1998).

Finally, the parties are reminded that they should be prepared to address the schedule for the remaining pretrial proceedings, including discovery, at the October 4th conference.

SO ORDERED.

Dated: October 3, 2013
New York, New York



JESSE M. FURMAN
United States District Judge